

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
-----X  
ACS MOSCHNER & CO. GES. and  
M.B.H. VENTURE CAPITAL PARTNERS KEG,

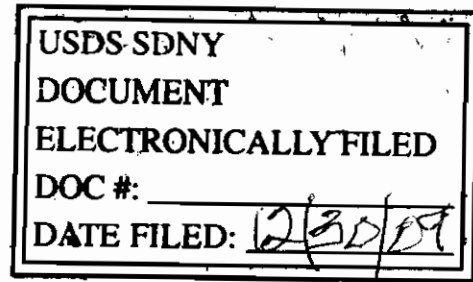
Plaintiffs,

- against -

CADUCEUS PRIVATE INVESTMENTS, LP,  
ORBIMED CAPITAL, LLC and ORBIMED  
ADVISORS, LP,

Defendants.  
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NAOMI REICE BUCHWALD  
UNITED STATES DISTRICT JUDGE



O R D E R

09 Civ. 7663 (NRB)

It having been reported to this Court that this case has  
been settled, it is

ORDERED that the above-captioned action be, and hereby is,  
dismissed without costs and without prejudice to restoring the  
action to this Court's calendar if the application to restore the  
action is made within 30 days.

DATED: New York, New York  
December 29, 2009

  
NAOMI REICE BUCHWALD  
UNITED STATES DISTRICT JUDGE